

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 36117 of 2005(Y)

PETITIONER:

MATHEW K.KURIAKOSE,
THACHIRUPARAMBIL, REPRESENTED BY POWER OF
ATTORNEY HOLDER E.K.KURIAKOSE,
THACHRUPARAMBIL, CHENGATHARA P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.V.C.JAMES

RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR,
MALAPPURAM.
3. THE R.D.O., PERINTHALMANNA.
4. THE TAHSILDAR, NILAMBUR.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of the document dated 13-8-2001.

Ext.P2: True copy of the report signed by the Village Officer, Chungahara.

Ext.P3: True copy of the site plan in respect of the 12 cents of land.

Ext.P4: True copy of the communication dated 29-5-2004 addressed to the District Collector.

Ext.P5: True copy of the gazette notification published in the Kerala Gazette dated 8-2-2005.

Ext.P6: True copy of the communication No.B1.3516/04 dated 28-10-2005 of the Tahsildar Nilambur, address to the RDO.

// True copy //

P.A. to Judge
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C.N.RAMACHANDRAN NAIR, J.

W.P.(C)NO.36117 OF 2005

Dated this the 30th day of November 2006

JUDGMENT

Heard counsel for the petitioner and Government Pleader.

2. It is conceded that petitioner's application for registration of 12 cents of land under the Malablar Land Registration Act is processed and approved. However, on account of repeal of the Act, assignment is not effected. It is now conceded that by operation of clause 4(e) of the General Clause Act 7 of 1125, proceedings could be continued and assignment could be made under the present Act.

3. In the circumstance, third respondent is directed to proceed with the assignment in terms of the above clause in the general clause Act and complete the same within a period of two months from the date of production of a copy of this judgment. Petitioner will comply with all formalities.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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